

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA

Plaintiff,

v.

[33] JOEL PAGAN-RIVERA

Defendant.

CRIMINAL NO. 12-691 (PAD)

STIPULATION REGARDING MODIFICATION OF SENTENCE

TO THE HONORABLE COURT:

IT IS HEREBY STIPULATED AND AGREED, by and between the parties acting through their undersigned counsel that:

1. Defendant has submitted a request for modification of his sentence pursuant to Title 18, United States Code, Section 3582(c)(2) and Amendment 782.

2. Defendant's original guideline calculation was as follows:

Total Offense Level:	27
Criminal History Category:	II
Guideline range:	78 to 97 months
Supervised release:	At least eight (8) years

3. Defendant was sentenced on July 3, 2013 to 87 months of imprisonment followed by a supervised release term of 8 years. (Docket No. 1368.)

4. Defendant is eligible for a modification of his sentence pursuant to 18, United States Code, Section 3582(c) and U.S.S.G. §1B1.10(c), Amendment 782 to the United States Sentencing Guidelines.

5. Defendant's revised guideline calculations are as follows:

Total Offense Level:	25
Criminal History Category:	II
Amended guideline range:	63 to 78 months
Supervised release:	At least 8 years

6. Based upon the foregoing, the parties hereby stipulate a sentence of **70** months incarceration is appropriate in this matter.

7. Defendant stipulates that he waives and does not request a hearing in this matter pursuant to Fed. R. Crim. P. 43; 18 United States Code, Section 3582(c)(2); United States v. Booker, 543 U.S. 220 (2005) and Kimbrough v. United States, 2007WL 4292040 (U.S. 2007).

8. The parties further stipulate that the remainder of defendant's judgment shall remain unchanged.

9. Accordingly, the parties agree and stipulate that an amended judgment may be entered by the Court in accordance with this stipulation pursuant to Title 18, United States Code, Section 3582(c) and U.S.S.G. §1B1.10(c), Amendment 782 of the United States Sentencing Guidelines.

Respectfully submitted in San Juan, Puerto Rico, on the 8th day of February, 2023.

ERIC ALEXANDER VOS
Federal Public Defender

s/Hector L. Ramos-Vega
First Assistant Federal Public Defender

W. STEPHEN MULDROW
United States Attorney

s/ Myriam Y. Fernandez
Assistant United States Attorney